

1998

Subject Matter Index to Volume 36 (1997-1998)

Follow this and additional works at: <https://dsc.duq.edu/dlr>



Part of the [Law Commons](#)

Recommended Citation

Subject Matter Index to Volume 36 (1997-1998), 36 Duq. L. Rev. 1047 (1998).

Available at: <https://dsc.duq.edu/dlr/vol36/iss4/20>

This Additional Content is brought to you for free and open access by Duquesne Scholarship Collection. It has been accepted for inclusion in Duquesne Law Review by an authorized editor of Duquesne Scholarship Collection.

SUBJECT MATTER INDEX TO VOLUME 36

Abortion

Constitutional Law — First Amendment — Freedom of Speech — Prior Restraint
Schenck v. Pro-Choice Network of Western New York, 117 S. Ct. 885 (1997)
229

Debtor's Exercise of the Cram Down Option — Valuation Standard for Collateral in Chapter 13 — *Associates Commercial Corp. v. Rash*, 117 S. Ct. 1879 (1997).
455

Administrative Law

Gender Discrimination and the Military Selective Service Act: Would the MSSA Pass Constitutional Muster Today?
171

Uniform Commercial Code — Article III — Article IX — Status of Personal Property Used as Collateral — Deficiency Judgment Act *Horbal v. Moxham Nat'l Bank*, 697 A.2d 577 (Pa. 1997).
619

Military Affairs — Veterans' Preference Act — Statutory Construction *Sicuro v. City of Pittsburgh*, 684 A.2d 232 (Pa. Commw. Ct. 1996).
671

Campaign Finance Reform Awash in Soft Money and Political Corruption: The Need for Campaign Finance Reform
107

Professional Ethics — Attorney Misconduct — Rules of Disciplinary Enforcement
Office of Disciplinary Counsel v. Raiford, 687 A.2d 1118 (Pa. 1997).
651

Case Management
Traps for the Unwary: Why Counsel Should Think Twice Before Joining Additional Parties in Civil Litigation
521

Bankruptcy

Beginning with a Head Start: The Transfer and Use of Tax Attributes by Debtors in Bankruptcy
139

Communications Law
Nexus on the Net: A Taxing Question
921

Constitutional Law

First Amendment —

Enforcement Clause —

Religious Freedom

Restoration Act of 1993

City of Boerne v. Flores,

117 S. Ct. 2157 (1997).

981

First Amendment —

Freedom of Speech —

Prior Restraint

*Schenck v. Pro-choice**Network of Western New**York*, 117 S. Ct. 855 (1997).

229

First Amendment —

Fourteenth Amendment —

Freedom of Association —

Equal Protection.

*Timmons v. Twin Cities**Area New Party*, 117 S. Ct.

1364 (1997).

207

Fourth Amendment —

Criminal Procedure —

“Knock and Announce”

Rule *Richards v.**Wisconsin*, 117 S. Ct.

1416 (1997).

1025

Fourth Amendment —

Criminal Procedure —

Ordering Passengers out

of Vehicle During Traffic

Stop *Maryland v. Wilson*,

117 S. Ct. 882 (1997).

1025

Gender Discrimination and
the Military Selective

Service Act: Would the

MSSA Pass Constitutional

Muster Today?

171

Interstate Commerce —

Dormant Commerce

Clause — Municipal Waste

Control *Empire Sanitary**Landfill v. Department of**Envtl. Resources*, 684 A.2d

1047 (Pa. 1996).

689

Pennsylvania’s “Registration
of Sexual Offenders”

Statute: Can It Survive a

Constitutional Challenge?

563

Private Enforcement of the
Social Contract: DeShaney

and the Second Amend-

ment Right to Own

Firearms

827

Procedural Due Process —

Employment —

Suspension — State

Employees *Gilbert v.**Homar*, 117 S. Ct. 1807

(1997).

951

Standing — Separation of

Powers *Raines v. Byrd*,

117 S. Ct. 2312 (1997).

961

1998	Index	1049
Substantive Due Process — Double Jeopardy — Ex Post Facto <i>Kansas v. Hendricks</i> , 117 S. Ct. 2072 (1997).	471	Stop <i>Maryland v. Wilson</i> , 117 S. Ct. 882 (1997). 1011
Tenth Amendment — State Sovereignty <i>Printz v. United States</i> , 117 S. Ct. 2365 (1997).	493	The Effect of Constitutional Hermeneutics on Whether Warrantless Thermal Imaging Is an Impermissible Search under the Fourth Amend- ment 415
Contract Law Does “Puff” Create an Express Warranty of Merchantability? Where the Hornbooks Go Wrong	887	Pennsylvania’s “Registration of Sexual Offenders” Statute: Can It Survive a Constitutional Challenge? 563
Criminal Law Perjury! The Charges and the Defenses	715	Education Law The Federal Regulations and Student Financial Assistance: A Plea for Change 395
Rape — Unconscious Victim <i>Commonwealth v. Erney</i> , 698 A.2d 56 (Pa. 1997).	705	Election Law Awash in Soft Money and Political Corruption: The Need for Campaign Finance Reform 107
Criminal Procedure Constitutional Law — Fourth Amendment — “Knock and Announce” Rule <i>Richards v. Wisconsin</i> , 117 S. Ct. 1416 (1997).	1025	Constitutional Law — First Amendment — Fourteenth Amendment — Freedom of Association — Constitutional Law — Equal Protection <i>Timmons v. Twin Cities Area New Party</i> , 117 S. Ct. 1364 (1997). 207
Constitutional Law — Fourth Amendment — Ordering Passengers out of Vehicle During Traffic		

Employment/Labor Law

Age Discrimination in
Employment Act: Life
After *St. Mary's Honor
Center v. Hicks* — Rolling
the Dice Against a Stacked
Deck

795

Constitutional Law —
Procedural Due Process —
Suspension — State
Employees *Gilbert v.
Homar*, 117 S. Ct. 1807
(1997).

951

Federal Employers' Liability
Act *Metro-North
Commuter R.R. Co. v.
Buckley*, 117 S. Ct. 2113
(1997).

993

Unemployment Compensa-
tion — Voluntary
Termination of
Employment *Allegheny
Valley Sch. v. Pennsylva-
nia Unemployment
Compensation Bd.*, 697
A.2d 243 (Pa. 1997).

639

Environmental Law

Constitutional Law — Inter-
state Commerce —
Dormant Commerce
Clause — Municipal Waste
Control *Empire Sanitary
Landfill v. Department of
Envtl. Resources*, 684 A.2d
1047 (Pa. 1996).

689

Evidence

Dialing "M" for Murder:
Analyzing the
Admissibility of the
Telephone Dying
Declaration

545

Frye and Daubert: Does
Pennsylvania Need a
Different Evidentiary
Standard for Scientific
Evidence?

597

Judicial Procedure

Race and Representation in
Jury Service Selection

49

Law and Religion

Constitutional Law — First
Amendment —
Enforcement Clause —
Religious Freedom
Restoration Act of 1993
City of Boerne v. Flores,
117 S. Ct. 2157 (1997).

981

Gun Control

Constitutional Law — Tenth
Amendment — State
Sovereignty
Printz v. United States,
117 S. Ct. 2365 (1997).

493

Private Enforcement of the
Social Contract: DeShaney
and the Second Amend-
ment Right to Own Fire-
arms

827

Intellectual Property

Patent Law — Infringement'
 — Doctrine of Equivalents
 — Prosecution History
 Estoppel *Warner-
 Jenkinson Co., Inc. v.
 Hilton Davis Chem. Co.*,
 117 S. Ct. 1040 (1997).

185

International Law

Fundamental Rights in the
 European Union

249

Law and Economics

Economics Credentialing:
 Bottom-Line Medical
 Care

437

Medico-Legal

Economic Credentialing:
 Bottom-Line Medical
 Care

437

ERISA Preemption of
 Medical Malpractice
 Claims Against Managed
 Care Organizations

863

Philosophy of Law

The Effect of Constitutional
 Hermeneutics on Whether
 Warrantless Thermal
 Imaging Is an
 Impermissible Search
 under the Fourth Amend-
 ment

415

The Transformation Theory
 of Morton J. Horwitz:
 Research Problems and
 Implications for the
 Practice of Liberal
 Democracy

1

Professional Responsibility

Attorney Misconduct —
 Rules of Disciplinary
 Enforcement *Office of
 Disciplinary Counsel v.
 Raiford*, 687 A.2d 1118 (Pa.
 1997).

651

Securities Law

The National Securities
 Market Improvement Act:
 How Improved Is the
 Securities Market?

365

Taxation

Beginning with a Head
 Start: The Transfer and
 Use of Tax Attributes by
 Debtors in Bankruptcy

139

Nexus on the Net: A Taxing
 Question

921

Tort Law

ERISA Preemption of
Medical Malpractice
Claims Against Managed
Care Organizations
863

Traps for the Unwary: Why
Counsel Should Think
Twice Before Joining
Additional Parties in Civil
Litigation
521

A Suggested Proposal to
Apportion Liability in
Lead Pigment Cases
79

Uniform Commercial Code

Article III — Article IX —
Status of Personal
Property Used as
Collateral — Deficiency
Judgment Act *Horbal v.*
Moxham Nat'l Bank, 697
A.2d 577 (Pa. 1997).
619

Does "Puff" Create an Ex-
press Warranty of
Merchantability? Where
the Hornbooks Go Wrong
887